

Members:

Sen. Robert Meeks, Chairperson
Sen. Becky Skillman
Sen. Rose Ann Antich
Sen. Allie Craycraft
Rep. David Crooks
Rep. Dan Stevenson
Rep. Robert Alderman
Rep. John Ulmer



RAIL CORRIDOR SAFETY COMMITTEE

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MEETING MINUTES

Meeting Date: September 9, 1998
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Sen. Becky Skillman; Sen. Rose Ann Antich; Sen. Allie Craycraft; Rep. David Crooks; Rep. Dan Stevenson; Rep. Robert Alderman.

Members Absent: Sen. Robert Meeks; Rep. John Ulmer.

Rep. Crooks, who chaired the meeting in the absence of Sen. Meeks, called the meeting to order at 10:25 a.m.. Rep. Crooks indicated that since a quorum of Committee members was not present, the Committee could not approve the minutes of the last meeting, but could receive testimony. Mr. Phil Schermerhorn, Indiana Department of Transportation (IndOT), updated the Committee on expenditures from the Railroad Grade Crossing Fund.¹ Mr. Schermerhorn indicated that 80% of the fund's \$500,000 has been spoken for. Mr. Ron Thomas, IndOT, described for the Committee the project activities that have occurred since the Committee's last meeting. Mr. Thomas also outlined the contract processing steps from when a grant is approved to when the funds are authorized to be spent.²

¹ The railroad grade crossing fund is located at IC 8-6-7.7-6.1.

² Mr. Thomas' comments are contained in a handout which is on file at the Legislative Information Center, Room 230, State House, Indianapolis, Indiana. The telephone number of the Legislative Information Center is (317)

Rep. Crooks indicated that the update by Mr. Dennis Faulkenberg, InDOT, on the Transportation Equity Act for the 21st Century (TEA 21) would be postponed until the next meeting.

Mr. Lane Ralph, Assistant State Director for Senators Lugar and Coats, addressed the Committee concerning the Local Freight Rail Assistance Program (LFRA).³ Mr. Ralph described the history of the program, indicating that although the program has remained eligible for funding, Congress has not appropriated money to the fund since 1995. In 1995, \$17 million was appropriated, of which \$6.5 million was later rescinded. Indiana received \$638,000 of those funds in fiscal year 1995. Ms. Cathy Hale, Madison Railroad, Indiana Rail Transportation Group (IRTG), indicated that of the \$638,000 received by Indiana, the Madison Railroad received approximately \$471,000 and the Indiana Northeastern Railroad received the remaining \$167,000. Mr. Ralph then addressed the Committee concerning the Railroad Rehabilitation and Improvement Financing (RRIF) Program, which was created by the TEA 21.⁴ Mr. Ralph indicated that the RRIF Program provides up to \$3.5 billion of federal assistance in the form of direct loans and loan guarantees for eligible railroad projects to help meet the long-term capital needs of private railroads. He indicated that the Federal Railroad Administration (FRA) appears to be aggressive in promoting this fund.

The Committee viewed a videotape concerning the use of reflectorized tape on crossbucks in Idaho, Virginia, and Ohio. Mr. Phil Schermerhorn, InDOT, indicated that while InDOT has no information from Ohio on the use of reflectorized tape, InDOT does have information concerning the use of new crossbuck designs. Mr. Larry Goode, InDOT, distributed an Ohio Executive Summary evaluating the effect of installing new crossbuck designs.⁵ Mr. Goode reported that the evaluation indicated that statistically there was no improvement in using the new crossbuck systems. He stated that in order to avoid liability, these devices should become approved devices under the Manual on Uniform Traffic Control Devices (MUTCD) before they are installed. Mr. Wendall L. Meyer, Federal Highway Administration (FHWA), indicated that Ohio received approval from the FHWA before installing the crossbucks. Sen. Skillman clarified that the executive summary indicated a steady drop in the accident rate at crossings over the past ten years, while the new crossbucks were installed only two years ago.

Since a quorum of Committee members was now present, the Committee approved the August 12, 1998 Committee meeting minutes.

Mr. Tom Fruechtenicht, Indiana Rail Transportation Group (IRTG), addressed the Committee concerning a proposed amendment to IC 6-2.5-10-1 that would adjust the sales tax distribution to the Industrial Rail Service Fund (IRSF) thereby aiding short

232-9856, and the mailing address is 200 West Washington St., Suite 301, Indianapolis, Indiana 46204-2789.

³ Mr. Ralph's comments are on file at the Legislative Information Center (see footnote 2).

⁴ Written materials submitted by Mr. Ralph are on file at the Legislative Information Center (see footnote 2).

⁵ The executive summary is on file at the Legislative Information Center (see footnote 2).

line railroads.⁶ Mr. Fruechtenicht proposed reducing the percentage of the sales tax distributed to the Public Mass Transit Fund (PMTF) from .76% to .68% while raising the dedicated funds for the IRSF from .04% to .12%. This would result in a \$2.7 million reduction in the PMTF fund to \$22.3 million and increase the IRSF fund by \$2.7 million to \$3.9 million. The Committee discussed how this proposal would reduce the funds available for local transit systems. Mr. Fruechtenicht indicated that comparatively speaking, the reduction of funds for the PMTF would be considered minimal, while the increased funds available to short line railroads would be considered significant. Mr. Fruechtenicht indicated that most other states have programs to provide assistance, including assistance in maintaining crossing signals.⁷ Ms. Cathy Hale, Madison Railroad, indicated that Indiana's short line railroads are trying to receive equal treatment.

Ms. Cathy Hale, Madison Railroad, addressed the Committee concerning Preliminary Draft 3117,⁸ Ms. Hale indicated that Preliminary Draft 3117 provides that Class 2 and Class 3 railroads are eligible entities for purposes of the Industrial Development Grant Fund and that money from the fund may be spent on rail infrastructure. Ms. Hale explained that the Industrial Development Grant Fund is administered by the Department of Commerce. Ms. Hale explained that currently money from the fund may only be spent on rail sidings, which benefits industries but not the railroads. Ms. Hale indicated that she would also like Class 2 and Class 3 railroads to be eligible for the Industrial Development Program and Fund.⁹ Mr. Carey Craig, Department of Commerce, indicated that a representative of the Department familiar with the funds and programs would attend the next meeting of the Committee.

Ms. Patti Smith, Federal Railroad Administration (FRA), discussed the June 24, 1998 and July 31, 1998 meetings of governmental agencies, industries, and railroads concerning short and long term solutions for the Portage railroad crossings including the Wilson Road crossing.¹⁰ Ms. Smith indicated that the groups will meet on September 16, 1998 to discuss an engineering report for a proposal to provide safer access to the area. The Committee discussed the desirability of taking a train trip from Portage to Chicago. Rep. Crooks scheduled the next tentative Committee meeting date for October 13, 1998 at 10:00 a.m.. Rep. Crooks adjourned the meeting at 11:45 a.m..

⁶ The proposed amendment and Mr. Fruechtenicht's comments are on file at the Legislative Information Center (see footnote 2).

⁷ This information is on file at the Legislative Information Center (see footnote 2).

⁸ A copy of Preliminary Draft 3117 is on file at the Legislative Information Center (see footnote 2).

⁹ The Industrial Development Program and Fund is located at IC 4-4-8.

¹⁰ A copy of the minutes of the meetings is on file at the Legislative Information Center (see footnote 2).